
**FOOD STAMP REGULATIONS
GENERAL PROVISIONS**

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.1 Purpose of the Food Stamp Program

The Food Stamp Program is designed to promote the general welfare and to safeguard the health and well-being of the nation's population by raising the levels of nutrition among low-income households. Section 2 of the Food Stamp Act of 1977 states, in part:

Congress hereby finds that the limited food purchasing power of low-income households contributes to hunger and malnutrition among members of such households. Congress further finds that increased utilization of food in establishing and maintaining adequate national levels of nutrition will promote the distribution in a beneficial manner of the nation's agricultural abundance and will strengthen the nation's agricultural economy, as well as result in more orderly marketing and distribution of foods. To alleviate such hunger and malnutrition, a Food Stamp Program is herein authorized which will permit low-income households to obtain a more nutritious diet through normal channels of trade by increasing food purchasing power for all eligible households who apply for participation.

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.2 Scope of the Regulations

Chapter 100 contains general information, definitions, and other material applicable to Food Stamp Program operations. Chapter 200 sets administration of the Program. Chapter 300 describes the application processing requirements and standards. Chapters 400 and 500 describe the eligibility standards and criteria to be applied by CWD in certifying applicant households. Chapter 600 sets forth requirements and procedures for food coupon issuance, use, replacement, and close-out activities. Chapter 700 provides procedures for coupon ordering and CWD responsibilities in maintaining coupon accountability. Chapter 800 describes the corrective actions for under/overissuances, wrongful denials or terminations, recipient fraud, etc. Chapter 900 explains procedures for issuing emergency coupon allotments to certain victims of disasters unable to purchase adequate amounts of food. Chapter 1000 sets forth the state/county coordinated Outreach Program responsibilities. Chapter 1100 contains all the federal and state forms that are required in the administration of the Food Stamp Program.

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- a. (1) "Access device" means the device which may be used to access the master issuance or record-for-issuance file in an automated direct access system. A plastic card with a magnetic strip is a type of access device.
- (2) "Administrative Disqualification Hearing Waiver" means the DPA 479 Rev. 8/95.
- (3) "Aid to Families with Dependent Children (AFDC)" means the financial aid program for needy children who lack parental support and care. This term refers to the program in general, regardless of the source of funding.
- (A) Federally-funded AFDC is authorized under Title-IV of the Social Security Act of 1935, as amended. Households entitled to federal AFDC must meet federal eligibility requirements.
- (B) State-only AFDC is the state and county-funded AFDC program for otherwise eligible persons who do not meet specific federal eligibility requirements.
- (4) "Allotment" means the total value of coupons a household is authorized to receive during each calendar month of certification.
- (5) "Annual Review Period" means the 12-month period from October 1 of each calendar year through September 30 of the following calendar year.
- (6) "Application" means:
- (A) The forms which are completed by a household member or authorized representative when applying for Food Stamps; or
- (B) The forms used to apply for AFDC by households in which all members apply for or receive Public Assistance, including any necessary Food Stamp Program attachments approved by FNS.
- (7) "Authorization document" means an intermediary document issued by the CWD and used to authorize a specific benefit amount for a household. An "Authorization to Participate card (ATP)" is a type of authorization document.

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- b. (1) "Beginning Months" in a retrospective budgeting system means the first month the household is certified for food stamps and the month thereafter. For households applying for food stamps and PA benefits at the same time, a third beginning month shall be assigned if necessary for the household to transition from prospective to retrospective budgeting during the same months for both food stamps and PA. The first beginning month cannot be any month which immediately follows a month in which a household is certified and subject to retrospective budgeting in any project area. The month following the month of suspension shall not be considered a beginning month.
- (2) "Budget Month" in a retrospective budgeting system means the month from which income and other circumstances (except household composition) of the household are used to calculate the household's allotment for the corresponding issuance month.
- (3) A "bulk storage point" means a location which receives and stores coupons from FNS for two or more CWDs and transfers them to issuance agents. It must report coupon inventories on the FNS-250. Coupons are not issued to recipients from bulk storage points.
- c. (1) "Calendar month" means a period running from the first of the month through the end of the month.
- (2) "California Food Assistance Program (CFAP)" means the state program that provides Food Stamp Program benefits to adults who are at least 65 years of age and to children under the age of 18 who are legal non-citizens of the United States. These persons must have been legally present in the United States prior to August 22, 1996 and have been determined ineligible for federal Food Stamp Program benefits due solely to their immigration status, as detailed in Section 63-405, to be eligible for CFAP.
- (3) "Categorical Eligibility" means being considered eligible for food stamps, as specified in Sections 63-301.6, .7 and .8, because of the household's eligibility for public assistance (PA) or general assistance (GA).
- (4) "Child/spousal support disregard payment" means those payments received from an absent parent, and issued to recipients of Aid to Families with Dependent Children (AFDC) in accordance with federal law, PL 98-369, Section 2640, of the Deficit Reduction Act (DEFRA). These payments are disregarded as income for the AFDC program, but shall be considered income for the Food Stamp Program.
- (5) "Claims collection point" means an entity responsible for the collection of claims.
- (6) "Combined Households" means those households which contain participants of the federal Food Stamp Program and CFAP.

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- (7) "Commercial boarding house" means an establishment licensed as an enterprise which offers meals and lodging for compensation and profit. In a county without licensing requirements, a commercial boarding house shall be defined as a commercial establishment which offers meals and lodging for compensation with the intent of making a profit. The number of boarders residing in a boarding house shall not be used to determine if a boarding house is a commercial enterprise.
- (8) "Communal dining facility" means a public or nonprofit private establishment approved by FNS which prepares and serves meals for elderly persons, or for supplemental security income (SSI) recipients and their spouses; a public or private nonprofit establishment (eating or otherwise) that feeds elderly persons or SSI recipients and their spouses, and federally subsidized housing for the elderly at which meals are prepared for and served to the residents. It also includes private establishments which contract with a local agency to offer meals at concessional prices to elderly persons or SSI recipients and their spouses.
- (9) "Compliance with CWD Time Limits" means taking action within the time frames specified. If the last day for taking action falls on a Saturday the CWD shall take action on or before that date. When the last day for taking action falls on a Sunday or other holiday, as specified in Government Code Sections 6700 and 6701, the CWD shall take action on the next normal working day except for expedited service time frames as specified in Section 63-301.531.
- (10) "County agency (CWD)" means the agency of county government which has been delegated the responsibility for the administration of the federally aided public assistance programs within the county.
- (11) "Coupon" means a type of certificate provided pursuant to the provisions of Division 63, Food Stamp Regulations, for the purchase of eligible foods.
- (12) "Coupon issuer" means the CWD or any person, partnership, corporation, organization, or other entity with which a CWD has an CDSS approved contract for, or to which it has assigned responsibility for the issuance of coupons to households.
- d. (1) "Date of entry" or "Date of admission" means the date established by the Immigration and Naturalization Service as the date the sponsored alien was admitted for permanent residence.
- (2) "Days" unless stated otherwise refers to calendar days.
- (3) "Department" means the California Department of Social Services.
- (4) "Director" means the director of the California Department of Social Services.

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- (5) "Disaster" means one of two types of disasters which are:
 - (A) "Lesser disaster" means a disaster such as, but not limited to, a flood, fire, other catastrophe or temporary emergency that has not been declared a major disaster but is severe enough to have disrupted commercial channels of food distribution.
 - (B) "Major disaster" means one of the following occurrences which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby:
 - (i) any natural catastrophe (such as a hurricane, tornado, storm, high water, winddriven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm or drought); or
 - (ii) regardless of cause, any fire, flood, or explosion.
- (6) "Disqualification Consent Agreement" means the DFA 478.
- (7) "Drug addiction or alcoholic treatment and rehabilitation program" means any drug addiction or alcoholic treatment and rehabilitation program under Part B of Title XIX of the Public Health Service Act (42 USC 300x et seq.) conducted by a private nonprofit organization or institution or a publicly operated community mental health center.
 - (A) "Under Part B of Title XIX of the Public Health Service Act" (42 USC 300x et seq.) is defined as meeting the criteria which would make it eligible to receive funds, even if it does not actually receive funding under Part B of Title XIX.
- e. (1) "Elderly or disabled member" means a member of a household who:
 - (A) is 60 years of age or older;

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- (B) receives Supplemental Security Income (SSI) benefits under Title XVI, or disability or blindness payments under Title II (Social Security Disability Insurance Program) of the Social Security Act;

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- .1 In accordance with Section 63-402.22, SSI recipients shall be included as a member of the household for purposes of household composition. However, they shall be excluded from the household for the purpose of determining household size, eligibility or benefit level.

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- (C) receives disability retirement benefits from a governmental agency because of a disability considered permanent under Section 221(i) of the Social Security Act;
- (D) receives interim assistance benefits pending receipt of SSI, provided that the eligibility to receive those benefits is based upon disability or blindness criteria which are at least as stringent as those used under Title XVI of the Social Security Act;

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- (E) receives disability-related medical assistance under Title XIX (Medi-Cal) of the Social Security act;
 - (F) receives disability-based general assistance benefits, provided that the eligibility to receive those benefits is based upon disability or blindness criteria which are at least as stringent as those used under Title XVI of the Social Security Act;
 - (G) is a veteran with a service-connected or nonservice-connected disability rated by the Veteran's Administration (VA) as total or paid as total by the VA under Title 38 of the United States Code;
 - (H) is a veteran considered by the VA to be in need of regular aid and attendance or permanently housebound under Title 38 of the United States Code;
 - (I) is a surviving spouse of a veteran and considered by the VA to be in need of regular aid and attendance or permanently housebound or a surviving child of a veteran and considered by the VA to be permanently incapable of self-support under Title 38 of the United States Code;
 - (J) is a surviving spouse or surviving child of a veteran and considered by the VA to be entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under Title 38 of the United States Code and has a disability considered permanent under Section 221(i) of the Social Security Act. "Entitled" as used in this definition refers to those veterans' surviving spouses and surviving children who are receiving the compensation or pension benefits stated or have been approved for such payments, but are not yet receiving them; or
 - (K) receives an annuity payment under Section 2(a)(1)(iv) of the Railroad Retirement Act of 1974 and is determined to be eligible to receive Medicare by the Railroad Retirement Board; or Section 2(a)(1)(v) of the Railroad Retirement Act of 1974 and is determined to be disabled based upon the criteria used under Title XVI of the Social Security Act.
- (2) "Eligible food" means:
- (A) Any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods and hot food products prepared for immediate consumption.

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- (B) Seeds and plants to grow foods for personal consumption of eligible households.
 - (C) Meals prepared and delivered by an FNS authorized meal delivery service to households eligible to use coupons for the purchase of delivered meals; or meals served by a communal dining facility for the elderly to households eligible to use coupons for communal dining.
 - (D) Meals prepared and served to households eligible to use coupons to purchase those meals by a drug or alcoholic treatment and rehabilitation center which is authorized by FNS to accept coupons in exchange for meals.
 - (E) Meals prepared and served to eligible blind or disabled residents receiving benefits under Title II or Title XVI of the Social Security Act by a group living arrangement which is authorized to accept coupons in exchange for meals.
 - (F) Meals prepared and served by a shelter for battered women and children to its eligible residents.
 - (G) Meals prepared for and served to homeless food stamp households by a public or private nonprofit establishment (e.g., soup kitchen or shelter), which has been authorized by the Food and Nutrition Service (FNS) to accept food stamp coupons. This provision only applies to homeless food stamp households.
- (3) "Entrant Cash Assistance (ECA)" means cash assistance provided to Cuban or Haitian entrants under the same conditions, and to the same extent, as such assistance is provided to refugees receiving Refugee Cash Assistance (RCA).
- (4) "Extended Filing Date" in a monthly reporting system is by close of business on the first working day of the issuance month and is the final date by which the household must submit a complete CA 7, including all required verification without penalty of termination of eligibility or disallowance of deductions.
- f. (1) "FNS" means the Food and Nutrition Service of the U.S. Department of Agriculture.
- (2) "Federal fiscal year" means a period of 12 calendar months beginning with October 1 and ending with September 30 of the following year.

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- (3) "A fleeing felon" is an individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the law of the place from which the individual is fleeing, for a crime or attempt to commit a crime, that is a felony under the law of the place from which the individual is fleeing or that, in the case of New Jersey, is a high misdemeanor under the law of New Jersey.
- (4) "Food Stamp Act" means the Food Stamp Act of 1977 (Pub. L. 95-113), including any subsequent amendments thereto.
- g. (1) "General Assistance (GA)" means cash or another form of assistance, excluding in-kind assistance, financed by county funds as part of a program which provides assistance to cover living expenses or other basic needs intended to promote the health or well-being of recipients. Such programs include County General Assistance (GA)/General Relief (GR).
- (A) For purposes of determining categorical eligibility, as specified in Section 63-301.82, GA recipients include individuals authorized to receive GA benefits whether or not they are actually receiving a GA payment. This includes recipients whose GA benefits have been suspended or recouped, or those who are entitled to GA benefits but are not paid such benefits because the grant is below the minimum payable under the GA program.
- (2) "Group living arrangement" means a public or private nonprofit residential setting, serving no more than sixteen residents, that is licensed by the Department of Social Services. To be eligible for food stamp benefits, a resident of such a group living arrangement must be blind or disabled and receiving benefits under Title II (Retirement, Survivors, Disability Insurance benefits) or Title XVI (SSI) of the Social Security Act. However, if per Section 63-402.225, Title XVI recipients are ineligible for food stamps, this ineligibility shall apply to Title XVI (SSI) recipients who are residing in group living arrangements.

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h. (1) "Homeless Assistance" payments for AFDC are considered "nonrecurring lump sum payments" and include:

- (A) Payments for "temporary shelter assistance" for a homeless family seeking permanent housing, not to exceed the current temporary shelter consecutive-day time limit.
- (B) Payments for "permanent housing" to pay for security deposits and utility deposits once permanent housing is located.

"AFDC Interim shelter" payments are not to be included as "Homeless Assistance" under this definition.

(2) "Homeless individual" means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is:

- (A) A supervised shelter designed to provide temporary accommodations (such as a congregate shelter or a welfare hotel where an individual is referred by the CWD);
- (B) A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized;
- (C) A temporary accommodation in the residence of another individual for no more than 90 days as follows:
 - 1. The 90-day period begins on the date when the individual is temporarily residing in the residence of another and is a food stamp recipient. In no circumstance shall the 90-day period be considered to have started prior to September 22, 1996.
 - 2. If the recipient moves into a different temporary residence situation, a new 90-day period begins. There is no limit on the number of times an individual can be identified as homeless.
 - 3. Notice shall be provided to inform a household of changes to their status as specified in Section 63-504.2. or
- (D) A place not designed for, nor ordinarily used, as a regular sleeping accommodation for human beings (e.g. a hallway, a bus station, a lobby or similar places).

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- (3) "Household Disaster" means a natural event such as flood, tornado, or a devastating event such as a fire.
- (4) "House-to-house trade routes" means any retail food business operated from a truck, bus, pushcart, or other vehicle which can move easily from place to place.
- i. (1) "Identification (ID) card" means the DFA 287.
- (2) "IEVS" means the Income and Eligibility Verification System (see Section 20-006.1).
- (3) "Immigration and Naturalization Service (INS)" means the Immigration and Naturalization Service, U.S. Department of Justice.
- (4) "Initial Application and Certification" means the first application for certification filed, or an application for certification filed after any break in certification.
 - (A) For the purpose of prorating benefits (see Section 63-503.13):
 - 1. The first application for benefits a household has ever filed, or
 - 2. An application for certification filed after any period during which the household was not certified for participation except for migrant and seasonal farm worker households. Migrant and seasonal farm worker households which have a break in participation of 30 days or less shall be considered to have continuous participation.
 - (B) For the purpose of determining verification requirements (see Section 63-300.5):
 - 1. The first application for benefits a household has ever filed, or
 - 2. An application for certification filed after at least a one month break since the household was last certified, or
 - 3. An application received from any household which was immediately previously certified in another project area regardless of whether or not there has been a one month break since the household was last certified.

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- (C) For the purpose of determining whether or not it is a beginning month(s) for a household which shall be subject to retrospective budgeting (see Section 63-503.21):
1. The first application for benefits a household has ever filed, or
 2. An application for certification filed after at least a one-month break since the household was last certified and retrospectively budgeted.
- (5) "IPV" means intentional Program violation (see Section 20-300.1).
- (6) "Issuance Month" in a monthly reporting and retrospective budgeting system means the month for which a food stamp allotment is issued. The allotment is based on income and circumstances in the corresponding budget month. In prospective budgeting, the budget month and issuance month are the same. In retrospective budgeting, the issuance month is the second month after the budget month.
- (7) "Issued" means an item is disbursed. Therefore, coupons or ATPs are considered issued when deposited in the mail or handed over the counter.
- (8) An "issuing point" means a location operated by the CWD and/or its issuance agent which issues coupons to recipients.
- j. Reserved
- k. Reserved

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- l. (1) "Liquid Resources" means those resources which are in the form of cash or are readily converted into cash. Such resources shall include but may not be limited to cash on hand, money in checking or savings accounts, savings certificates, trust deeds, notes receivable, stocks or bonds, and nonrecurring lump-sum payments unless specifically excluded in Section 63-501.3.
- m. (1) "Master issuance file" means a cumulative file containing individual household records for all food stamp households indicating household status and the amount of benefits each household is authorized to receive.
- (2) "Meal delivery service" means a political subdivision, a private nonprofit organization, or a private establishment which contracts with a local agency for the preparation and delivery of meals at concessional prices to elderly persons and their spouses; and to the physically or mentally handicapped and their spouses, such that they are unable to adequately prepare all of their meals.
- (3) "Meal provider for the homeless" means a public or private nonprofit establishment that feeds homeless persons, (e.g., soup kitchen or shelter), which has been authorized by the Food and Nutrition Service (FNS) to accept food stamp coupons.
- (4) "Medicaid" means medical assistance under Title XIX of the Social Security Act, as amended.
- (5) Medical licensed practitioner or other qualified health professional authorized by state law include but not be limited to the following: Acupuncturists, Chiropractors, Educational Psychologists, Midwives, Nurse Practitioners, Nurses (Registered, Vocational, Home Administrators and Registry), Physical Therapists, Podiatrists, Psychiatrists, Psychiatric Technicians and Clinical Psychologists.
- (6) "Migrant Farmworker" means an individual who does not live at his/her home, but rather travels from place to place outside the project area in which the individual resides, to seek employment in an agricultural production activity. A migrant household is a household which includes a member who is a migrant farmworker during the certification period.

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- (7) "Mixed Household" means a food stamp household in which less than all members receive public assistance in addition to food stamp benefits. For purposes of these regulations, mixed households shall be considered nonassistance households and shall be subject to the same procedures as nonassistance households except as otherwise specified.
- n. (1) "Nonassistance Household" means a household which receives food stamp benefits and in which none or less than all of its members also receive public assistance.
- (2) "Nonliquid Resources" means those resources which are not in the form of cash and are not readily converted into cash. Such resources shall include but may not be limited to personal property, licensed and unlicensed vehicles, buildings, land, recreational properties, and any other property, unless specifically excluded in Section 63-501.3.
- (3) "Nonprofit cooperative food purchasing venture" means any private nonprofit association of consumers whose members pool their resources to buy food.
- (4) "Notice of Action" means a form provided to a household informing them of an action which has been or will be taken concerning the household's eligibility status or level of benefits.
- o. (1) "Overissuance" means the amount by which coupons issued to a household exceeds the amount it was eligible to receive.
- p. (1) "Parental Control"
- (A) A minor child shall not be considered under the parental control of the individual with whom he/she resides if any one of the following conditions exists:
- (a) The minor entered into a valid marriage, whether or not such marriage has terminated by dissolution.
- (b) The minor is on active duty with any of the armed forces of the United States of America. (Note: A person who was in the armed forces but was discharged before reaching the age of 18 could still be considered under parental control.)
- (c) The minor has been emancipated by a court order.

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- (B) If none of the above conditions exist then whether or not a minor should be considered under the parental control of the individual with whom he/she resides shall be determined using the following criteria. The eligibility worker shall assess the relative importance of the criteria below to each individual case in determining whether or not parental control exists:
- (a) The minor is economically self-supporting and managing his/her own affairs.
 - (b) The closer a minor is to 18 years the more significant age becomes in the determination of parental control.
 - (c) The minor is absent from the individual with whom he/she is residing for significant periods of time and comes and goes without the individual's approval.
- (C) Repealed by CDSS Manual Letter No. FS-89-04, (effective June 29, 1989).
- (2) "Photo ID Card" means an identification card used in a Photo Identification Card System to identify the bearer as eligible to receive and use Food Stamps.
- (3) "Photo Identification Card System" is one which meets all the requirements of Section 63-504.8. The photo identification card system may utilize a single identification card which meets the requirements of Sections 63-504.7 and 63-504.8 or two identification cards which together meet the requirements of these sections.
- (4) "Prescreening" means gathering information prior to filing an application to perform a preliminary review of eligibility for participation in the Food Stamp Program. Prescreening does not include gathering information to refer an applicant to the appropriate program or office.
- (5) "Program" means the Food Stamp Program conducted under the Food Stamp Act and regulations.
- (6) "Project area" means the county designated as the administrative unit for program operations. Upon prior FNS approval, a city, Indian reservation, welfare district, or any other entity with clearly defined geographic boundaries, or any combination of such entities, may be designated as a project area, or the state as a whole may be designated as a single project area.

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- (7) A "project area code" is the nine-digit number assigned to each CWD and/or its issuance agents regardless of whether the CWD issues coupons or not.
 - (8) "Prospective Budgeting" means the computation of a household's food stamp allotment for an issuance month based on an estimate of income and circumstances which will exist in that month.
 - (9) "Prospective Eligibility" means the determination of a household's eligibility for an issuance month based on an estimate of a household's income, circumstances, and composition which will exist in that issuance month.
 - (10) "Public Assistance (PA)" means federally-funded Aid to Families with Dependent Children (AFDC), including AFDC for children of unemployed parents, as authorized by the Social Security Act of 1935, as amended. A PA household is a household in which all members receive federally-funded AFDC payments.
 - (a) For purposes of determining categorical eligibility, as specified in Section 63-301.7, PA recipients include individuals authorized to receive PA benefits whether or not they are actually receiving a PA payment. This includes recipients whose PA benefits have been suspended or recouped, or those who are entitled to PA benefits but are not paid such benefits because the grant is less than \$10.00.
 - (b) For purposes of determining categorical eligibility, as specified in Section 63-301.7, PA means AFDC benefits under Title IV-A of the Social Security Act. Any PA households receiving AFDC from a state-only program shall not be considered categorically eligible to food stamp benefits. (See Section 63-402.225 for exclusion of SSI/SSP recipients.)
- q. Reserved
- r. (1) Compliance with "Recipient Due Dates" means items shall be received by close of business on the date specified unless that date falls on a weekend or holiday, in which case the due date is by close of business on the next normal working day.
- (2) "Record-for-issuance file" means a file which is created monthly from the master issuance file, which shows the amount of benefits each eligible household is to receive for the issuance month and the amount actually issued to the household.

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- (3) "Regulations" means the provisions of this manual. Regulatory citations refer to provisions of this manual unless otherwise specified.
- (4) "Refugee Cash Assistance (RCA)" means cash assistance provided under Title IV of the Immigration and Nationality Act to refugees who are ineligible for Aid to Families with Dependent Children (AFDC) or Supplemental Security Income (SSI) and who have resided in the United States for less than a 12-month period from their initial entry into the country.
- (5) "Report Month" means the month in a monthly reporting and retrospective budgeting system during which the CA 7 from the budget month is due and the month during which the household's allotment for the issuance month is calculated. The report month is between the budget month and the issuance month.
- (6) The "reporting point code" is the nine-digit number assigned to each reporting point. In counties in which the CWD itself issues coupons, the project code and the CWD reporting point code will be the same. CWDs not currently issuing but which wish to begin doing so must ensure that their project area code is activated as a reporting point before they begin issuance.
- (7) A "reporting point" means a CWD which prepares and submits an FNS-250 to FNS.
- (8) "Retail food store" means:
 - (A) An establishment or recognized department of an establishment, or a house-to-house trade route, whose eligible food sales volume, as determined by visual inspection, sales records, purchase records, or other inventory or accounting recordkeeping methods that are customary or reasonable in the retail food industry, is more than 50 percent for food items for home preparation and consumption. See Section 63-102(h) for house-to-house trade route definition.
 - (B) Public or private communal dining facilities and meal delivery services, drug addict or alcoholic treatment and rehabilitation programs, public or private nonprofit shelters for battered women and children, or public or private nonprofit group living arrangements which accept food stamps in exchange for meals, and public or private nonprofit establishments that feed homeless persons, (e.g., soup kitchens or shelters), which have been authorized by the Food and Nutrition Service (FNS) to accept food stamp coupons.

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- (C) Drug addict or alcoholic treatment and rehabilitation programs or public or private nonprofit group living arrangements which redeem coupons directly through wholesalers.
- (D) Any private nonprofit cooperative food purchasing venture, including those whose members pay for food prior to receipt of the food.
- (E) A farmer's market.
- (9) "Retrospective Budgeting" means the computation of a household's food stamp allotment for an issuance month based on actual income and circumstances which existed in the budget month.
- s. (1) "Seasonal Farmworker" means a nonmigrating individual who is employed seasonally in an agricultural production activity during the certification period. A seasonal farmworker household is a household where any member is a seasonal farmworker.
- (2) "Self-employed farmer" means a farmer who receives or anticipates receiving annual gross proceeds of \$1000 or more from the farming enterprise.
 - (A) For the purpose of this section, "farming enterprise" shall be defined as the growing of agricultural products or the raising of livestock for income.
- (3) "Self-employed fisherman" means a fisherman who receives or anticipates receiving annual gross proceeds of \$1000 or more from a fishing enterprise. The fisherman, like a farmer, must produce food and is subject to the same chances as farmers that can result in losses, such as market demands, weather conditions, and the environment. This includes fishermen who are involved in catching or harvesting fish or other types of water life.

63-102 DEFINITIONS (Continued)**63-102**

- (4) "Shelter for Battered Women and Children" means a public or private nonprofit residential facility that serves battered women and/or women with children. A shelter: 1) may have FNS authorization as a retail food store to redeem coupons through wholesalers; 2) may accept coupons from residents in payment for meals prepared by the shelter; 3) may redeem coupons at retailers as the authorized representative; or 4) residents may use coupons to purchase food and prepare meals. If the facility also serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and/or women with children.
- (5) A "shipping code" is a 12-digit number assigned to each shipping point. (Note that a twelve-digit shipping point code may be assigned to bulk storage, project areas, or issuing points that serve as places where shipment of coupons from FNS are received.)
- (6) A "shipping point" means a place which receives coupon shipments from FNS.
- (7) "Sponsor" means a person who executed an affidavit(s) of support or similar agreement, on behalf of an alien as a condition of the alien's entry or admission into the United States as a permanent resident.
- (8) "Sponsored alien" means an alien lawfully admitted for permanent residence into the United States as an immigrant as defined in Sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act.
- (9) "Spouse" refers to either of two individuals who would be defined as married to each other under applicable state law or who are cohabitating and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople.

63-102 DEFINITIONS (Continued)**63-102**

- (10) "Staple food" means those food items intended for home preparation and consumption which include meat, poultry, fish, breadstuffs, cereals, vegetables, fruits, fruit and vegetable juices, and dairy products. Accessory food items, such as coffee, tea, cocoa, carbonated and uncarbonated drinks, candy, condiments, and spices are not staple foods for the purposes of qualifying a firm to participate in the Food Stamp Program as a retail food store.
- (11) "State agency (CDSS)" means the agency of the State Government which has the responsibility for the administration of the federally aided public assistance programs within the state.
- (12) A "storage point" means a location where a CWD and/or its issuing agent keeps or stores coupons.
- (13) "Supplemental Security Income (SSI)" means monthly cash payments made under the authority of: (1) Title XVI of the Social Security Act, as amended, to the aged, blind, and disabled; (2) Section 1616(a) of the Social Security Act; or (3) Section 212(a) of Public Law 93-66.
- (14) "Suspended Claim" means a food stamp overissuance claim on which no collection action has been initiated or collection action has ceased in accordance with Section 63-801.5.
- t. (1) "Terminated Claim" means that the CWD has determined the claim to be uncollectible because the three-year suspension period for the food stamp overissuance claim has expired.
- (2) "Thrifty food plan" means the diet required to feed a family of four persons as determined in accordance with the Secretary's calculations. The cost of such diet shall be the basis for uniform allotments for all households regardless of their actual composition, except that the Secretary shall make household-size adjustments in the thrifty food plan taking into account economies of scale.

63-102	DEFINITIONS (Continued)	63-102
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- (3) "Trafficking" means the buying or selling of coupons, access devices or authorization documents such as ATP cards for cash.
- (4) "Transaction receipt" means the document produced in an automated direct access issuance system which can be designed to be signed prior to the issuance of benefits by a household member designated on the ID card or any authorized representative.
- (5) "Transitional housing" means time limited residency to facilitate the movement of homeless individuals and families to permanent housing. The residency shall be determined to be time limited when the household states that their housing situation is temporary, or the CWD or the housing unit imposes a time limit.
- u. (1) "Underissuance" means the amount by which the allotment to which the household was entitled exceeds the allotment which the household received.
- v. (1) "Validity period" means the time frame during which a household may obtain benefits by transacting an authorization document or receiving benefits at an issuance point.
- w. (1) "Wholesale food concern" means an establishment which sells eligible food to retail stores or to meal services for resale to households.
- x. Reserved
- y. Reserved
- z. Reserved

NOTE: Authority cited: Sections 10553, 10554, and 18904, Welfare and Institutions Code. Reference: Sections 18930 through 18934, Welfare and Institutions Code; 8 U.S.C.A. Section 1522(e); 42 U.S.C.A. 601, et seq.; and 42 U.S.C.A. 5122; 7 CFR 273.1(c)(5); 7 CFR 271.2; 7 CFR 273.2, .2(j), and (j)(4); 7 CFR 273.5(a); 7 CFR 273.9(c)(1)(ii)(D); 7 CFR 273.11(a)(2)(iii); 7 CFR 273.16(c); 7 CFR 273.21(b); 7 CFR 274.3(a)(2); 7 CFR 2710.2; 45 CFR 401; 45 CFR 400.62; Public Law (P.L.) 100-77, Section 802; (Court Order re Final Partial Settlement Agreement in Jones v. Yeutter (C.D. Cal. Feb. 1, 1990) [Dock. No. CV-89-0768]); Section 66011, Education Code; Public Law (P.L.) 102-237, Section 902; 7 U.S.C. 2014(c)(2)(B) and (k)(2)(F); U.S.D.A. Food and Nutrition Service Administrative Notice 94-39; Administrative Notice 97-44; Hamilton v. Madigan (9th Cir. 1992) 961 F.2d 838; Food Stamp Act Section 821, Section 6(k)(1); P.L. 104-193, Sections 805 and 827 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); and Federal Register Vol. 59, No. 224, dated November 22, 1994.

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- .1 This section lists and defines those forms which are used in the Food Stamp Program and referenced in regulations. Forms which are recommended for use, but are not required, are included as Handbook.
- .11 Forms are listed alphabetically by the alpha form designation and number.
- .12 The revision date of the form currently in use is specified for each form.
- .13 The alpha form designations mean the following:
- a. "CA" means Children's Assistance.
 - b. "DFA" means Division of Financial Administration.
 - c. "FNS" means Food and Nutrition Service.
 - d. "FS" means Food Stamps.
 - e. "I" or "INS" means Immigration and Naturalization Services.
 - f. "JA" means joint application.
 - g. "MC" means Medi-Cal.
 - h. "NA" means Notice of Action.
 - i. "SAWS" means Statewide Automated Welfare System.
 - j. "SSA" means Social Security Administration.
- .14 For further information regarding Food Stamp forms and form instructions, see Handbook Section 63-1200.

HANDBOOK ENDS HERE

- .2 Forms Listing
- a. Reserved
 - b. Reserved

63-103	DEFINITIONS--FORMS (Continued)	63-103
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- c. (1) CA 7 (rev. 1/93) - Monthly Eligibility Report
- The CA 7 is used to report information on a monthly basis by monthly reporting households, to determine the household's continuing eligibility and level of benefits.
- (2) CA 8 (rev. 2/84) - Statement of Facts for Additional Persons
- The CA 8 is used to collect information necessary to determine the household's eligibility when adding a person.
- d. (1) DFA 256 (rev. 11/90) - Participation and Coupon Issuance Report - Food Stamp Program
- The DFA 256 is used to collect CWD participation and coupon issuance data.
- (2) DFA 285-A1 (rev. 7/90) - Application for Food Stamps - Part (1)
- The DFA 285-A1 is completed by applicants and is used to identify households entitled to expedited service.
- (3) DFA 285-A2 (rev. 4/93) - Application for Food Stamps - Part (2)
- The DFA 285-A2 is completed by applicants and is used to collect the information necessary to determine an applicant's eligibility and benefit level.
- (4) DFA 285-A3 (rev. 4/93) - Important Facts for Food Stamp Applicants
- The DFA 285-A3 is used to inform food stamp applicants of their rights and responsibilities and to certify that applicants understand those rights and responsibilities and the penalties for noncompliance.
- (5) DFA 286 (rev. 4/79) - Household Issuance Record
- The DFA 286 is used by CWDs which operate a manual household issuance record card system to record benefit authorizations and transactions.
- (6) DFA 287 (rev. 4/80) - Food Stamp Program Identification (ID) Card
- The Identification "ID Card" is used to identify the bearer as eligible to receive and use food coupons.

63-103	DEFINITIONS--FORMS (Continued)	63-103
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- (7) DFA 289 (rev. 4/79) - Food Stamp Program Receptionist's Daily Tally Sheet

The DFA 289 is used to record the daily issuance transactions for each cashier.

- (8) DFA 293 (rev. 4/79) - Cashier's Daily Report

The DFA 293 is used to report the daily transaction activity for each cashier.

- (9) DFA 296 (rev. 10/88) - Food Stamp Program Monthly Caseload Movement Statistical Report

The DFA 296 is used to report data on monthly CWD application processing activities.

- (10) DFA 296 X (rev. 12/88) - Food Stamp Program Expedited Service Quarterly Statistical Report

The DFA 296 X is used to report quarterly data on the CWD's disposition of expedited service requests.

- (11) DFA 300 (rev. 1/80) - Food Stamps Mail Issuance Log

The DFA 300 is used to record mail issuance requests/transactions.

- (12) DFA 303 (rev. 10/90) - Replacement Affidavit/Authorization

The DFA 303 is used to document household replacement requests.

- (13) DFA 358 (rev. 10/88) - Food Stamp Program Participants by Ethnic Group

The DFA 358 is used to report data on Food Stamp recipients by ethnic group.

63-103 DEFINITIONS--FORMS
(Continued)**63-103**

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(14) DFA 377.1 (rev. 1/88) - Notice of Approval

The DFA 377.1 is the recommended CDSS developed form used to inform a household that its application for participation in the Food Stamp Program has been approved.

(15) DFA 377.1A (rev. 1/88) - Notice of Denial or Pending Status

The DFA 377.1A is the recommended CDSS developed form used to inform a household that their application for participation in the Food Stamp Program has been denied or is pending further action.

(16) DFA 377.2 (rev. 12/83) - Food Stamp Notice of Expiration of Certification

The DFA 377.2 is the recommended CDSS developed form used to inform a household that their certification period will expire soon or be shortened.

(17) DFA 377.4 (rev. 12/83) - Food Stamp Notice of Change

The DFA 377.4 is the recommended CDSS developed form used to notify a household of any change in eligibility status or benefit level during the certification period.

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(18) DFA 377.5 (rev. 8/90) - Food Stamp Household Change Report

The DFA 377.5 is used to report information on changes in household circumstances by households not subject to monthly reporting requirements.

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(19) DFA 377.7A (rev. 8/88) - Notice of Administrative Disqualification

The DFA 377.7A is the recommended CDSS developed form used to notify a household of their disqualification based on an Administrative Disqualification Hearing decision.

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HANDBOOK CONTINUES

- (20) DFA 377.7B (rev. 9/93) - Food Stamp Repayment Notice For Inadvertent Household Errors Only

The DFA 377.7B is the recommended CDSS developed form used to initiate collection action against a household or the sponsor of an alien household for an Inadvertent Household Error.

- (21) DFA 377.7D (rev. 9/93) - Food Stamp Repayment Notice for Administrative Errors Only

The DFA 377.7D is the recommended CDSS developed form used to initiate collection action against a household or the sponsor of an alien household for an Administrative Error.

- (22) DFA 377.7F (rev. 10/93) - Food Stamp Repayment Notice for an Intentional Program Violation (IPV) Only

The DFA 377.7F is the recommended CDSS developed form used to initiate collection action against a household or the sponsor of an alien household for an Intentional Program Violation.

HANDBOOK ENDS HERE

- (23) DFA 377.7C (rev. 9/93) - Food Stamp Repayment Agreement for Inadvertent Household Errors Only

The DFA 377.7C is used to specify the terms under which a household has agreed to repay an outstanding claim determination on an Inadvertent Household Error.

- (24) DFA 377.7E (rev. 4/93) - Food Stamp Repayment Agreement for Administrative Errors Only

The 377.7E is used to specify the terms under which a household has agreed to repay an outstanding claim determination for an Administrative Error.

- (25) DFA 377.7G (rev. 10/93) - Food Stamp Repayment Agreement for an Intentional Program Violation (IPV) Only

The DFA 377.7G is used to specify the terms under which a household has agreed to repay an outstanding claim determination for an Intentional Program Violation.

63-103 (Cont.)	FOOD STAMP REGULATIONS GENERAL PROVISIONS	Regulations
63-103	DEFINITIONS--FORMS (Continued)	63-103

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- (26) DFA 377.9 (rev. 7/90) - Notice of Back Food Stamp Benefits

The DFA 377.9 is the recommended CDSS developed form used to notify a household of their entitlement to a restoration of lost benefits.

- (27) DFA 377.10 (rev. 7/89) - Food Stamp Notice of Disqualification

The DFA 377.10 is the recommended CDSS developed form used to notify a household of its disqualification from the Food Stamp Program for noncompliance with work registration requirements.

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- (28) DFA 385 (rev. 11/87) - Application for Emergency Food Stamp Assistance

The DFA 385 is used as the application in disasters.

- (29) DFA 478 (rev. 6/90) - Disqualification Consent Agreement

The DFA 478 is used in cases of deferred adjudication. Accused individual(s) consent to an appropriate disqualification period with benefit reduction and acknowledge liability for payment of any resulting claim.

- (30) DFA 479 (rev. 5/89) - Administrative Disqualification Hearing Waiver

The DFA 479 is an agreement wherein an accused individual(s) waives the right to an Administrative Disqualification Hearing (resulting in an appropriate disqualification period with benefit reduction) and acknowledges liability for payment of any resulting claim.

- (31) DFA 842 (rev. 2/87) - Claim Determination Worksheet

The DFA 842 is used to document claim determination computations.

- e. Reserved

- f. (1) FNS-33 (rev. 4/78) - File Update - Food Coupon Shipping Point

The FNS-33 is used to report changes in bulk storage reporting and coupon shipment receiving points.

63-103	DEFINITIONS--FORMS (Continued)	63-103
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(2) FNS-46 (rev. 8/89) - Issuance Reconciliation Report

The FNS-46 is used to report the results of monthly reconciliation activities.

(3) FNS-135 (rev. 7/89) - Affidavit of Return or Exchange of Food Coupons

The FNS-135 is used to document the return or exchange of food coupons.

(4) FNS-209 (rev. 6/86) - Status of Claims Against Households

The FNS-209 is used to report information on CWD claim determination and collection activities.

(5) FNS-250 (rev. 10/78) - Food Coupon Accountability Report

The FNS-250 is used to report data on coupon inventories.

(6) FNS-254 (rev. 1/82) - Food Stamp Program Authorization/Retailer

The FNS-254 is used to authorize a group living arrangement as a retail food store.

(7) FNS-259 (rev. 5/83) - Food Stamp Mail Issuance Report

The FNS-259 is used to report data on mail issuance activities.

(8) FNS-260 (rev. 1/82) - Requisition for Food Coupon Books

The FNS-260 is used to order coupons.

(9) FNS-261 (rev. 11/78) - Advice of Shipment

The FNS-261 is used by FNS to notify CWDs of the shipment of coupons.

(10) FNS-292 (rev. 8/77) - Report of Coupon Issuance and Commodity Distribution for Disaster Relief

The FNS-292 is used to report the total number of persons certified for emergency coupon allotments and the total number of such allotments.

(11) FNS-300 (rev. 2/90) - Advice of Transfer

The FNS-300 is used to report coupon transfers.

63-103 (Cont.)	FOOD STAMP REGULATIONS GENERAL PROVISIONS	Regulations
63-103	DEFINITIONS--FORMS (Continued)	63-103
	(12) FNS-471 (rev. 4/86) - Coupon Account and Destruction Report The FNS-471 is used to report the destruction of food coupons.	
	(13) FS 8 (rev. 4/90) - Important Information About Required Verifications in the Food Stamp Program The FS 8 is used to provide applicant/recipient households with information on verification requirements in the Food Stamp Program.	
	g. Reserved	
	h. Reserved	
	i. (1) INS I-688 (any rev. date acceptable) - Temporary Resident Card; INS I-688A - Employment Authorization Card; and INS I-688B - Employment Authorization Document. The INS I-688, INS I-688A, and INS I-688B are used for the verification of alien status as specified in Section 63-300.51(b)(3)(A).	
	(2) INS G-639 (rev. 1/88) - Freedom of Information/Privacy Act Request The INS G-639 is used for the verification of alien status.	
	(3) INS I-94 (any rev. date acceptable) - Arrival-Departure Record The INS I-94 is used to reflect short-term employment authorization in special circumstances.	
	(4) INS I-179 (rev. 1/73) - U.S. Citizen Identification Card The INS I-179 is an identification card used to identify resident citizens in the United States.	
	(5) INS I-551 (any rev. date acceptable) - Resident Alien Card The INS I-551 is used to verify alien status.	
	j. (1) BC JA 2 CA 2/DFA 285-A2 (rev. 11/92) - Statement of Facts Cash Aid and Food Stamps The BC JA 2 CA 2/DFA 285-A2 is completed by applicants and is used to collect the information necessary to determine an applicant's eligibility and benefit level. This form is comparable to DFA 285-A2.	
MANUAL LETTER NO. FS-96-05	CALIFORNIA-DSS-MANUAL-FS	Effective 12/1/96

63-103	DEFINITIONS--FORMS	63-103
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(Continued)

k. Reserved

l. Reserved

m. (1) MC 177-SA-M (rev. 7/89) - Record of Health Cost - Share of Cost

The MC 177-SA-M is used to verify a Medi-Cal recipient's health care costs.

HANDBOOK BEGINS HERE

(2) MC 194 (rev. 9/82) - Social Security Administration Referral Notice

The MC 194 is a recommended form used to verify that an application for a Social Security Number has been completed.

n. (1) NA 960X (rev. 6/93) - Notice of Action/CA 7 not Received

The NA 960X is the recommended CDSS developed form used to notify monthly reporting households that a CA 7 has not been received and that benefits may be affected as a result.

(2) NA 960Y (rev. 8/93) - Notice of Action/CA 7 Incomplete-Discontinuance Reminder

The NA 960Y is the recommended CDSS developed form used to notify monthly reporting households that a CA 7 is incomplete and that benefits may be affected as a result.

HANDBOOK ENDS HERE

o. Reserved

p. Reserved

q. Reserved

r. Reserved

s. (1) SAWS 1 CA1/DFA 285-A1 (rev. 9/90) - Application for Cash Aid, Food Stamps, and/or Medical Assistance

The SAWS 1 CA1/DFA 285-A1 is completed by applicants and is used to identify households entitled to expedited service. This form is comparable to the DFA 285-A1.

63-103	DEFINITIONS--FORMS (Continued)	63-103
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- (2) SAWS 2A CA2/DFA 285-A2/MC210 (rev. 5/92) - Important Information for Applicants and Recipients for Cash Aid, Food Stamps, and Medical Assistance

The SAWS 2A CA 2/DFA 285-A2/MC210 is used to inform applicants for cash aid, food stamps, and medical assistance of important information, including their rights and responsibilities.

- (3) SSA-2853-OP3 (rev. 6/89) - Information About When You Will Receive Your Baby's Social Security Card

The SSA-2853-OP3 is used to verify that an application for a Social Security Number has been filed by a hospital official for a newborn.

- (4) SSA-5028 (any rev. date acceptable) - Receipt of Application for a Social Security Number

The SSA-5028 is used to verify that an application for a Social Security Number has been completed.

t. Reserved

u. Reserved

v. Reserved

w. Reserved

x. Reserved

y. Reserved

z. Reserved

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 273.2(b)(ii); and U.S.D.A. Food and Consumer Services Administrative Notice No. 94-22, dated January 7, 1994.

63-104	ADMINISTRATIVE AUTHORITIES	63-104
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.1 FNS Delegations to CDSS

The CDSS shall be responsible for the administration of the program within the state.

.2 State Delegations to Counties

.21 Under California law, administration of the federal Food Stamp Program and the California Food Assistance Program (CFAP) is a county welfare department (CWD) responsibility, subject to CDSS regulatory and rulemaking authority. CWD administrative responsibilities include, but are not limited to:

- a. Certification of applicant households;
- b. Issuance, control, and accountability of coupons;
- c. Developing and maintaining procedures for complaint handling;
- d. Developing, conducting, and evaluating training;
- e. Keeping records necessary to determine whether the program is being conducted in compliance with these regulations; and
- f. Submitting accurate and timely financial and program reports.
- g. Determining the amount of, and settling, adjusting, compromising, or denying all or part of any household overissuance claim which results from intentional Program violation, inadvertent household or CWD administrative error, subject to the standards in Section 63-801.
- h. Prompt submission to CDSS of the Annual County Food Stamp Questionnaire.
- i. Maintenance of procedures and controls to:
 - (1) Implement Food Stamp Program changes as required by CDSS.
 - (2) Accumulate statistical data for the DFA 296, DFA 256 and DFA 296X.

63-104	ADMINISTRATIVE AUTHORITIES (Continued)	63-104
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- (3) Coordinate between all CWD administered programs to ensure that food stamp eligibility and benefits accurately reflect participation and changes which occur in other programs.
- (4) Coordinate records and forms where there are separate PA records on the same food stamp household, as the Food Stamp Program operates on a consolidated household basis and adequate cross referencing is necessary.
- (5) Ensure that recertifications are completed and recorded at the required time for all cases including those with companion PA cases.
- (6) Facilitate replacement of stolen authorization documents or access devices; and authorization documents, access devices or coupons lost in the mail or destroyed in a household disaster.
- (7) Expedite services for destitute households.
- (8) Facilitate continuous participation of eligible households moving to another county or state (particularly where a PA case transfer is involved).
- j. Approval of meal providers for the homeless, as defined in Section 63-102(m), based on a determination by the CWD that the establishment or shelter serves meals to homeless persons.
 - (1) The approval or denial shall be provided in writing to these establishments within 30 calendar days from receipt of request.
 - (2) Self-certifications signed by the meal providers for the homeless may be considered acceptable documentation to meet this approval requirement.

63-104	ADMINISTRATIVE AUTHORITIES (Continued)	63-104
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- (3) The approval may be granted indefinitely; however, if there is evidence that the meal provider is no longer serving meals to the homeless, the approval shall be withdrawn.
 - (4) The CWD may designate another appropriate local governmental agency to provide this service; however, the CWD shall remain responsible for insuring that this provision is effectively carried out.
- .22 Pursuant to Section 63-601.2 provisions, CWDs may delegate to banks or other agent by means of an CDSS approved contract, certain responsibilities for the issuance of coupons including maintaining the necessary fiscal and inventory controls and reporting.
- .23 The CWD may not delegate its responsibility for certification, i.e., action on applications, determination of eligibility and the proper stamp allotment. Nor can the CWD totally divest itself of responsibility for required reports even though the data may be available only through the contracted issuing agency.

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: Sections 10554, 10800, 18902, and 18932, Welfare and Institutions Code; and 7 CFR 271.2.

63-105	COUPONS AS OBLIGATIONS OF THE UNITED STATES, CRIMES AND OFFENSES	63-105
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.1 Coupons as Obligations

Pursuant to Section 15(d) of the Food Stamp Act, as amended, coupons are an obligation of the United States within the meaning of Section 8, Title 18 of the United States Code, "Crimes and Criminal Procedure," relative to counterfeiting, misuse and alteration of obligations of the United States are applicable to coupons.

.2 Penalties

Any unauthorized issuance, use, transfer, acquisition, alteration, possession, or presentation of coupons, authorization documents, or access devices may subject any individual, partnership, corporation, or other legal entity to prosecution under Sections 15(b) and (c) of the Food Stamp Act or under any other applicable federal, state or local law, regulation or ordinance.

63-105	COUPONS AS OBLIGATIONS OF THE UNITED STATES, CRIMES AND OFFENSES (Continued)	63-105
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.21 Coupon Issuers

.211 Any coupon issuer or any officer, employee or agent, thereof convicted of failing to provide the monthly reports required in Section 63-702 or convicted of violating Sections 63-600 or 63-700 shall be subject to a fine of up to \$1,000, or imprisoned for up to one year, or both.

.212 Any coupon issuer or any officer, employee or agent, thereof convicted of knowingly providing false information in the reports required under Section 63-702 shall be subject to a fine of up to \$10,000, or imprisoned up to five years, or both.

.3 Security for Coupons, Authorization Documents and Access Devices

All individuals, partnerships, corporations or other legal entities, including CWDs and their delegates, having custody, care and control of coupons, authorization documents and access devices shall, at all times, take all precautions necessary to avoid the following:

.31 The acceptance, transfer, negotiation, or use of spurious, altered, or counterfeit coupons, authorization documents and access devices;

.32 The unauthorized use, transfer, acquisition, alteration or possession of coupons, authorization documents and access devices; and

.33 The theft, embezzlement, loss, damage or destruction of coupons, authorization documents and access devices as specified in Sections 63-601.3 and 63-701.2.

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: 7 CFR 271.2 and Sections 10554 and 18904, Welfare and Institutions Code.

63-106	COMPLAINT PROCEDURES	63-106
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.1 Complaint Filing Procedure

Any person or agency desiring program information or wishing to file a complaint may contact the State Department of Social Services, Public Inquiry and Response (PIAR) in writing or by calling toll free 1-800-952-5253. Persons and agencies may also file a complaint by contacting the CWD in the county in which they reside. Such request shall be handled in accordance with Division 22-100 "Requests for Review".

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: 7 CFR 271.2 and Sections 10554 and 18904, Welfare and Institutions Code.

63-107	DEMONSTRATION, RESEARCH, AND EVALUATION PROJECTS	63-107
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.1 Authority

- .11 Demonstration Projects. Demonstration projects are those authorized by Section 17(b)(1) of the 1977 Food Stamp Act which states in part: The Secretary (of USDA) is authorized to conduct on a trial basis, in one or more areas of the United States, pilot or experimental projects (hereafter called demonstration projects) designed to test program changes that might increase the efficiency of the Food Stamp Program and improve the delivery of food stamp benefits to eligible households. The Secretary is further authorized to waive all or part of the requirements of the act and to implement regulations to the degree necessary to conduct such projects, except that no project may be undertaken which would lower or further restrict the established income and resource standards or benefits levels.
- .12 Research Projects. Research projects are those authorized by Section 17(a) of the 1977 Food Stamp Act which states: The Secretary may, by way of making contracts with or grants to public or private organizations or agencies, undertake research that will help improve the administration and effectiveness of the Food Stamp Program in delivering nutrition related benefits.
- .13 Evaluation Projects. Evaluation projects are those authorized by Section 17(c) of the 1977 Food Stamp Act which states in part: The Secretary shall develop and implement measures for evaluating, on an annual or more frequent basis, the effectiveness of the Food Stamp Program in achieving its stated objectives.

2. Project Initiation

The Secretary of USDA shall determine those areas of program operations which require demonstration, research, or evaluation efforts. In making these determinations, the Secretary shall consider suggestions submitted by state and county agencies and other interested parties. The Secretary shall, as appropriate, seek proposals for specific types of demonstration projects through either publication of a notice of intent in the Federal Register or in accordance with procedures prescribed in the federal procurement regulations (41 CFR, Ch.1).

HANDBOOK CONTINUES

63-107 (Cont.)	FOOD STAMP REGULATIONS GENERAL PROVISIONS	Regulations
63-107	DEMONSTRATION, RESEARCH, AND EVALUATION PROJECTS (Continued)	63-107

HANDBOOK CONTINUES

.3 Eligibility

States or public or other nonprofit agencies or organizations or individuals are eligible for grants. Grants shall be subject to the appropriate provisions established in the Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants-In-Aid to State and Local Governments and Federal Management Circular (FMC) 74-4 Cost Principles Applicable to Grants and Contracts With State and Local Governments. States or public or private agencies or organizations or individuals are eligible for contracts.

.4 Federal Procedures for Approval of Proposals

.41 Presubmission proposal review. All suggestions for project operations and formal proposals for such operations shall be subject to the application procedures contained in OMB Circular A-102. If projects will have a significant impact on normal ongoing program activities, such suggestions or proposals shall be reviewed in accordance with the procedures established in OMB Circular A-95, Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects.

.42 Proposals for demonstration, research or evaluation projects shall be reviewed by a panel consisting of appropriate FNS and USDA departmental representatives.

.43 Representatives from other departments and agencies may be invited to participate in proposal review where proposed projects could affect their programs.

.44 Proposals shall be ranked based on the criteria established in this section.

.5 Approval Criteria

.51 Proposals shall be reviewed for responsiveness to the specific requirements contained in the Notice of Intent or request for proposal.

.52 In addition, proposals will be evaluated according to the following general criteria:

.521 The conceptual development and clarity of measurable objectives.

HANDBOOK CONTINUES

Regulations	FOOD STAMP REGULATIONS GENERAL PROVISIONS	63-107 (Cont.)
63-107	DEMONSTRATION, RESEARCH, AND EVALUATION PROJECTS (Continued)	63-107

HANDBOOK CONTINUES

.522 Probable effectiveness of the proposal to achieve the project objectives based on:

- (a) A complete description of the purpose; hypotheses; demonstration, research, or evaluation design; and plans for implementation;
- (b) The adequacy of the work plan, indicating tasks, scheduling, and methodology; and
- (c) A technical evaluation plan consistent with the objectives stated.

.523 The capability of the applicant to conduct the project based on:

- (a) A description of the qualifications of staff;
- (b) Availability of necessary facilities, staff, and other resources;
- (c) Administrative and supervisory capacity; and
- (d) Knowledge of or previous experience in conducting demonstration, research, or evaluation projects.

.524 The projected cost of the project.

.525 For demonstration projects, potential benefits in relation to projected costs and potential nationwide application.

.526 The relationship of the proposal to other similar demonstration, research, or evaluation efforts.

.6 Preoperational Rulemaking Procedures for Demonstration Projects

Prior to the initiation of a demonstration project FNS shall publish proposed regulations in the Federal Register, if the proposal will likely have significant impact on the public. The regulations shall set forth the specific operational procedures for the demonstration project and the provisions of the act and regulations which shall be waived. All public comments received shall be considered and final regulations published prior to actual project operation.

HANDBOOK CONTINUES

63-107 (Cont.)	FOOD STAMP REGULATIONS GENERAL PROVISIONS	Regulations
63-107	DEMONSTRATION, RESEARCH, AND EVALUATION PROJECTS (Continued)	63-107

HANDBOOK CONTINUES

.7 Federal Financial Participation

.71 Level of Funding

- .711 Grant Awards. FNS shall pay all costs up to the level established in the grant award. When a demonstration project involves an area of ongoing state or county administrative responsibilities as established in Section 63-103 FNS may pay up to 100 percent only of those administrative costs which exceed those usual and customary to program operations.
- .712 Contracts. FNS shall pay all costs as established in the terms and conditions of the contract.
- .713 Additional Funding. The awarding of any funding for additional costs incurred when necessary to the successful completion of a project shall be subject to existing federal grant and contracting procedures.
- .714 Limitations. Federal financial participation shall be available to demonstration, research, and evaluation projects only for:
 - (a) Those activities and projects awarded by FNS. Funds shall not be transferred from one project to another;
 - (b) Those costs specified in the grant or contract up to the amount approved in the grant or contract; and
 - (c) Costs incurred during the project, as established in the grant or contract. Time extensions regarding the project may be granted where sufficient justification has been submitted and approved by FNS.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: Sections 10554 and 18904, Welfare and Institutions Code.

63-108	BENEFIT REDUCTION, SUSPENSION, OR CANCELLATION PROCEDURES	63-108
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.1 General Purpose

This section sets forth procedures to be followed if the monthly food stamp allotments determined in Section 63-503 must be reduced, suspended, or cancelled to comply with Section 18 of the Food Stamp Act of 1977, as amended.

.2 Reductions

If a reduction in allotments is deemed necessary, allotments shall be reduced by reducing Thrifty Food Plan amounts for each household size by the percentage specified by CDSS.

.21 Counties shall multiply the Thrifty Food Plan amounts by this percentage; round the results to the nearest dollar amount; i.e., round down if it ends in 1 through 49 cents and round it up if it ends in 50 through 99 cents. Subtract the results from the normal Thrifty Food Plan amount.

.22 All one- and two-person households affected by a reduction action shall be guaranteed a minimum benefit of \$10 unless the action is a cancellation of benefits, a suspension of benefits, or a reduction of benefits of 90 percent or more of the total amount of benefits projected to be issued during the affected month.

.23 Implementation of Allotment Reductions

If a decision is made to reduce monthly food stamp allotments, CDSS will notify CWDs when the reduction is to take effect and by what percentage the Thrifty Food Plan amounts for each household size are to be reduced.

.231 Upon receiving notification that a reduction is to be made in a future month's allotment, CWDs shall act immediately to implement the reduction.

63-108	BENEFIT REDUCTION, SUSPENSION, OR CANCELLATION PROCEDURES (Continued)	63-108
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- (a) Where there are computerized issuance systems, the program used for calculating allotments shall be altered to reflect the appropriate percentage reduction in the Thrifty Food Plan for each household size and the computer program shall be adjusted to allow for a minimum benefit of \$10 for one and two-person households. The computer program shall also be adjusted to provide for the rounding of benefit levels of \$1, \$3, and \$5 to \$2, \$4, and \$6 respectively.
- (b) Where manual issuance is used, CWDs shall reproduce the revised issuance tables provided by CDSS and distribute sufficient copies to issuance personnel in time to allow benefit reduction during the month ordered by SDSS.
- (c) In a direct access issuance system using HIR cards, the CWD has the option to reduce benefits by changing all HIR cards before issuance for the affected month or by adjusting individual HIR cards when the household appears at the issuance office.

.3 Suspensions and Cancellations

- .31 If a decision is made to suspend or cancel the distribution of food stamp benefits, CDSS shall notify the CWDs of the date suspension or cancellation shall take effect.
- .32 In the event of a suspension or cancellation of benefits, the provision for a \$10 minimum benefit level for households with one or two members only shall be disregarded and all households shall have their benefits suspended or cancelled.
- .33 Upon receiving notification that an upcoming month's issuance is to be suspended or cancelled, CWDs shall take immediate action to effect suspension or cancellation. This may include computer adjustments, and notifying issuance agents and personnel.
- .34 Upon being notified by CDSS that a suspension or cancellation of benefits is over, CWDs shall act immediately to resume issuing benefits to certified households in accordance with Section 63-602.42.

63-108	BENEFIT REDUCTION, SUSPENSION, OR CANCELLATION PROCEDURES (Continued)	63-108
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.4 Affected Allotments

.41 Reduced benefits shall be calculated for all households; however, any households with one or two members whose reduced benefit would be less than \$10 shall receive a minimum benefit of \$10, except as specified in Section 63-108.22.

.42 Allotments or portions of allotments representing restored or retroactive benefits for a prior unaffected month shall not be reduced, suspended, or cancelled, even though they are issued during an affected month.

.5 Notification of Eligible Households

CWDs shall notify households of the reduction, suspension or cancellation of Program benefits.

.51 At such time as it is deemed necessary, CDSS shall inform CWDs of the method(s) for disseminating the notices of the reduction, suspension or cancellation of program benefits; and shall provide CWDs with both the language and format to be used in such notices.

.6 Restoration of Benefits

Households whose allotments are reduced or cancelled as a result of the enactment of these procedures are not entitled to the restoration of lost benefits at a future date. However, if the Food and Nutrition Service determines at a later date that previously reduced, cancelled, or suspended benefits are to be restored, CDSS will notify the CWDs of the amounts to be restored and the time frame in which restoration must be made.

.7 Records of Reduction, Suspension, or Cancellation

CWDs must be able to produce a record of the amount of benefits each household receives during a month in which a reduction is in effect along with a record of the amount of benefits each household would have received had full monthly allotments been distributed. Also, in the event benefits are cancelled, or suspended, CWDs must be able to produce a record of the amount of benefits each household would have received had full monthly benefits been distributed.

63-108	BENEFIT REDUCTION, SUSPENSION, OR CANCELLATION PROCEDURES (Continued)	63-108
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.8 Effects of Reductions, Suspensions or Cancellations on the Certification of Eligible Households

- .81 CWDs shall accept and process applications (new and recertifications) during a month(s) in which a reduction, suspension, or cancellation is in effect. Except as otherwise provided in Section 63-108, applications shall be processed in accordance with Chapters 63-300, 63-400, and 63-500.
- .82 If an applicant is found to be eligible for benefits and a reduction is in effect, the amount of benefits shall be calculated by reducing the Thrifty Food Plan amount by the appropriate percentage for the applicant's household size and then deducting 30 percent of the household's net food stamp income from the reduced Thrifty Food Plan amount.

EXAMPLE

If it is determined that a 25 percent reduction in the Thrifty Food Plan amount is to be made for all four-person households, the reduction would be calculated as follows: The Thrifty Food Plan amount for a four-person household (\$209) would be reduced by 25 percent to \$157. Then 30 percent of the net food stamp income would be deducted from the reduced Thrifty Food Plan Amount. For example, 30 percent of a net food stamp income of \$200, (\$60), would be deducted from the reduced Thrifty Food Plan Amount (\$157), resulting in a reduced allotment of \$97.

- .83 If an applicant is found to be eligible for benefits while a suspension or cancellation is in effect, no benefits shall be issued to that applicant, until issuance is again authorized by CDSS.
- .84 The reduction, suspension, or cancellation of allotments in a given month shall have no effect on the certification periods assigned to households.
- .85 Households whose certification period expires during a month in which allotments have been reduced, suspended, or cancelled shall be recertified according to Section 63-504.6.

63-108	BENEFIT REDUCTION, SUSPENSION, OR CANCELLATION PROCEDURES (Continued)	63-108
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.86 Expedited Services

.861 Reduced Benefits

Reduced allotments shall be provided within the time frame specified in Section 63-301.53.

.862 Suspended Benefits

If a suspension is in effect at the time a household has been determined eligible for both program benefits and expedited services, issuance of benefits shall be withheld until the suspension is ended. However, the time frame for completing the processing shall be no later than the close of business of the fifth calendar day following the date the application was filed.

.863 Cancellation of Benefits

Households determined eligible for both program benefits and expedited services during a month of benefit cancellation shall receive expedited processing. However, the time frame for completing the processing shall be no later than the close of business of the fifth calendar day following the date the application was filed, or the end of the month of application whichever date is later.

.864 Issuance after Suspension or Cancellation Period

After the suspension or cancellation period ends, benefits shall be issued in accordance with Section 63-301.531, except that the CWD shall use the final date of suspension or cancellation in lieu of the date of application.

.87 Issuance Services

In the months in which the issuance of benefits has been suspended or cancelled, issuance services shall be available to households receiving restored or retroactive benefits for a prior, unaffected month.

63-108	BENEFIT REDUCTION, SUSPENSION, OR CANCELLATION PROCEDURES (Continued)	63-108
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.9 State Hearings

Any household that has its allotment reduced, suspended, or cancelled as a result of an order issued by CDSS in accordance with these regulations may request a state hearing if it disagrees with the action, subject to the following conditions:

- .91 CDSS shall not be required to hold state hearings unless the request for a state hearing is based on the household's belief that its new benefit level was computed incorrectly or that the rules were misapplied or misinterpreted.
- .92 CDSS shall deny state hearing to those households who are merely disputing the fact that a reduction, suspension, or cancellation was ordered.
- .93 Under these circumstances (.91 and .92 above) households are not entitled to a continuation of benefits pending the state hearing.
- .94 A household may receive retroactive benefits in an appropriate amount if it is determined that its benefits were reduced by more than the amount by which the county was directed to reduce benefits.

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: 7 CFR 271.2 and Sections 10554 and 18904, Welfare and Institutions Code.

**FOOD STAMP REGULATIONS
PROGRAM REQUIREMENTS**

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63-201	GENERAL TERMS AND CONDITIONS	63-201
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.1 Coupons as Income

The coupon allotment provided any eligible household shall not be considered income or resources for any purpose under any Federal, State, or local laws including but not limited to laws on taxation, welfare, and public assistance programs.

.2 No Aid Reduction

Counties shall not decrease any assistance otherwise provided an individual or individuals because of the receipt of a coupon allotment.

.21 This section requires that the receipt or availability of food stamps cannot be considered when computing the amount of public assistance or general relief/assistance payments.

.3 Disclosure

.31 Use or disclosure of information obtained from food stamp applicant households, exclusively for the Food Stamp Program shall be restricted to the following persons:

.311 Persons directly connected with the administration or enforcement of the provisions of the Food Stamp Act or regulations, the Food Distribution Programs, other Federal or federally-assisted state programs which provide assistance on a means-tested basis to low income individuals; and general assistance programs that are subject to the joint processing requirements specified in Section 63-301.7;

.312 Employees of the Controller General's Office of the United States for audit examination authorized by any other provision of law;

.313 Local, state or federal law enforcement officials,

(a) For the purpose of investigating an alleged violation of the Food Stamp Act or regulations.

(1) The officer shall submit a written request that includes the identity of the individual requesting the information and his authority to do so, the violation being investigated, and the identity of the person on whom the information is being requested.

63-201 GENERAL TERMS AND CONDITIONS (Continued)**63-201**

(b) For the purpose of obtaining the address, social security number, and a photograph (when available) of a food stamp recipient who is fleeing to avoid prosecution, custody or confinement for a felony, or is violating a condition of parole or probation, or has information necessary for the officer to conduct an official duty related to flight by a food stamp recipient to avoid prosecution, custody or confinement for a felony, or related to violation by a food stamp recipient of a condition of probation or parole.

(1) The officer shall furnish the recipient's name, and notify the CWD that:

(A) the individual fits one of the categories as specified in Section 63-201.313(b),

(B) apprehending or locating the individual is an official duty, and

(C) the request is being made in the proper exercise of an official duty.

.314 Persons directly connected with the administration of the Child Support Program under Title IV-D of the Social Security Act in order to assist in the administration of that program.

.315 Employees of the Secretary of Health and Human Services as necessary to assist in establishing or verifying eligibility or benefits under Title II and Title XVI of the Social Security Act.

.316 Persons directly connected with the administration or enforcement of the programs which are required to participate in IEVS as specified in Section 20-006 to the extent the Food Stamp Program information is useful in establishing or verifying eligibility or benefit amounts under those programs.

.32 If there is a written request by a responsible member of the household, its currently authorized representative, or a person acting in its behalf to review materials contained in its case file, the material and information contained in the case file shall be made available for inspection during normal business hours. However, the county may withhold confidential information, such as the names of individuals who have disclosed information about the household without the household's knowledge, or the nature or status of pending criminal prosecutions.

63-201	GENERAL TERMS AND CONDITIONS (Continued)	63-201
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- .33 This section shall not prohibit the furnishing of such information to county supervisors of schools or supervisors of school districts only as necessary for the administration of federally assisted programs providing assistance in cash or in-kind services directly to the individual on the basis of need.
- .34 Any of the persons specified in Sections 63-201.311 - .316 who receive food stamp case file information, shall adequately protect this information against disclosure to unauthorized persons or for purposes not specified in this section. In addition, information received through the IEVS shall be protected from unauthorized disclosure as required by regulations. Information released to the CWD by the Internal Revenue Service shall be subject to the safeguards specified in Section 19-002.2.

63-201	GENERAL TERMS AND CONDITIONS (Continued)	63-201
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.4 Information Available to the Public or Applicant

- .41 The State Food Stamp Manual shall be maintained by the CWD in each local food stamp office for examination by members of the public on regular work days during regular office hours.
- .42 CWDs shall make available, upon request, a list of emergency food providers in the area served by each local food stamp office. In addition, this list may be used, where needed, to refer individuals to emergency food sites that may be able to provide assistance. The list shall be compiled and updated by CWDs based on information from the food providers.
- .43 CWDs shall make available, upon the request of food stamp applicants, nonpromotional information containing the addresses and phone numbers of local legal services and welfare rights organizations.

.5 Records and Reports

CWDs shall keep such records and submit such reports and other information as required by SDSS.

.6 Retention of Records

CWDs shall retain all Food Stamp Program records in an orderly fashion, for audit and review purposes, for a period of three years from the month of origin of each record. CWDs shall retain fiscal records and accountable documents for three years from the date of fiscal or administrative closure. Fiscal closure means that obligations for or against the Federal Government have been liquidated. Administrative closure means that the CWD has determined and documented that no further action to liquidate the obligation is appropriate. Fiscal records and accountable documents include, but are not limited, to claims and documentation of lost benefits.

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: Sections 10554 and 18904, Welfare and Institutions Code; and P.L. 104-193 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996) Section 837, 7 U.S.C. 2020(e)(8).

63-202	PROGRAM ADMINISTRATION AND PERSONNEL REQUIREMENTS	63-202
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.1 Merit personnel

- .11 CWD personnel used in the certification process shall be employed in accordance with the current standards for a merit system of personnel administration or any standards later prescribed by the U.S Civil Service Commission under Section 208 of the Intergovernmental Personnel Act of 1970.
- .12 CWD personnel meeting the above standards shall perform the interviews required in Section 63-300.4. Volunteers and other non-CWD personnel shall not conduct certification interviews or certify food stamp applicants. Exceptions to the use of merit system personnel in the interview and certification process are specified in Section 63-900.51 for emergency food stamp assistance in disasters. CWDs may use volunteers in activities such as prescreening, assisting applicants in the application and certification process, and in securing needed verification. Individuals and organizations who are parties to a strike or lockout, and their facilities, may not be used in the certification process except as a source of verification for information supplied by the applicant. Only authorized personnel of the CWD, coupon issuers, coupon bulk storage points, and federal or state personnel involved in administration of the program shall be permitted access to food coupons, authorization documents or other issuance documents.

.2 Bilingual Requirements

- .21 Bilingual staffing, certification, and program informational material shall be provided in accordance with the requirements of Division 21.

.3 Internal Controls

In order to safeguard certification and issuance records from unauthorized creation or tampering, the CWD shall establish an organizational structure which divides the responsibility for eligibility determinations and coupon issuance among certification, data management, and issuance units. The certification unit shall be responsible for the determination of household eligibility and the creation of records and documents to authorize the issuance of coupons to eligible households. The data management unit, in response to input from the certification unit, shall create and maintain the household master issuance file on cards, computer discs, tapes, or similar memory devices. The issuance unit shall provide certified households with the authorized allotments. In cases where personnel are, periodically or on a part-time basis, shifted from one unit to another, supervisory controls shall be sufficient to ensure that the unauthorized creation or modification of case records is not possible.

63-202	PROGRAM ADMINISTRATION AND PERSONNEL REQUIREMENTS	63-202
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(Continued)

.31 Exceptions

With prior written CDSS approval, the CWD may combine unit responsibilities if the controls specified above have been found to be administratively infeasible.

.311 To receive approval of combined operations, the CWD shall establish special review requirements which at a minimum include:

- a) Biweekly reconciliation and verification of transactions; and
- b) Second-party review of certification actions at least once every other month.

.312 The CWD shall annually determine whether each combined operation continues to be justified and shall so advise SDSS in writing.

.4 Training

.41 Minimum Requirements

.411 The CWD shall institute and maintain a continuing training program for food stamp eligibility workers.

- (a) Sufficient training shall be provided to the eligibility workers prior to their initial assumption of job duties and, subsequently, on an as-needed basis.

.412 The CWD shall provide sufficient staff time to ensure that the eligibility worker training requirement is met.

- (a) Training shall include, but not be limited to, the goals of and the methods for promptly and accurately certifying eligible households.

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.42 Effective January 1, 1989, Welfare and Institutions Code Section 19804.25(b) states as follows: "Each county welfare department shall annually offer training on food stamp application procedures to homeless shelter operators."

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63-202	PROGRAM ADMINISTRATION AND PERSONNEL REQUIREMENTS	63-202
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(Continued)

.5 Forms

The CWD shall use the forms prescribed in the Food Stamp Manual, or comparable SAWS forms as directed by CDSS, to collect, document, and/or report Food Stamp Program information. Any modification or substitution of forms prescribed in the Food Stamp Manual shall be approved by CDSS prior to use. Procedures for approval are contained in Handbook Section 63-1250.

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: 7 CFR 271.2, 7 CFR 272.4(d)(1)(i) and Sections 10554 and 18904, Welfare and Institutions Code.

63-203	NONDISCRIMINATION COMPLIANCE	63-203
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.1 Requirement

CWDs shall not discriminate against any applicant or participant in any aspect of program administration, including, but not limited to, the certification of households, the issuance of coupons, the conduct of state hearings, or the conduct of any other program service in accordance with the provisions of Division 21.

.2 Right to File a Complaint

Individuals who believe that they have been subject to discrimination may file a complaint in accordance with Division 21.

63-204	PROGRAM MONITORING SYSTEMS	63-204
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(Reserved)

63-205	LOCATION AND HOURS OF OPERATION OF CERTIFICATION AND ISSUANCE SERVICES	63-205
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.1 Hours of Operation

CWDs are responsible for determining the location and hours of operation of certification and issuance services available to Food Stamp applicants and recipients based on an assessment of their needs. To make this determination, CWDs shall conduct an annual review of the hours of operation of Food Stamp certification and issuance offices to ensure that the needs of recipients who work are adequately met. The results of these reviews shall be submitted to the California Department of Social Services to be retained for review by the federal Food and Nutrition Service. Requirements for CWD offices that are not open to the public eight hours per day, Monday through Friday, are specified in Section 11-601.

.2 Level of Service

.21 Basic certification services consist of distributing and accepting applications, interviewing applicants, and accepting notices of change in household circumstances.

.22 A wide variety of issuance methods may be used, including mail issuance, to fulfill issuance service needs.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 18902, Welfare and Institutions Code, 7 CFR 272.4(g), Blanco v. Anderson Court Order, United States District Court, Eastern District of California, No. Civ. S-93-859 WBS, JFM, dated January 3, 1995.

63-206	LIABILITIES	63-206
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.1 CWD Rights and Responsibilities

- .11 CWDs shall establish and maintain secure control over coupons and cash for which the regulations designate them accountable. CWDs shall be strictly liable as specified in Section 63-206.3 for shortages/losses of cash or coupons, and shall make payment upon demand as provided in these regulations.
- .12 CWDs shall be responsible for preventing losses of federal funds in the certification of households for participation in the Food Stamp Program. Certification functions end with the creation of the master issuance file. CWDs shall be liable for losses from incorrect coupon issuance resulting from CWD fraud or negligence in the certification of households.
- .13 CWDs shall be responsible for preventing losses or shortages of federal funds in the issuance of benefits to households participating in the Food Stamp Program. CWDs shall be liable for all losses, thefts and unaccounted shortages that occur during issuance, unless otherwise specified. Issuance functions begin with the creation of a record-for-issuance to generate each month's issuances from the master issuance file.

63-206 LIABILITIES (Continued)**63-206**

- .14 Whenever a liability is asserted against a CWD, under this section, the CWD shall have the right to provide any information necessary to assist SDSS in resolving the amount of the claim.

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- .15 SDSS determination of CWD compliance deficiencies may result in securing injunctive relief to compel compliance and/or disallowance of CWD claims for the federal share of administrative funds. SDSS is authorized to determine whether to seek injunctive relief, suspend or disallow administrative funds, to do both together, or to do each in sequence in each instance of noncompliance.

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.2 Coupon Shortages, Losses, Unauthorized Issuances, Overissuances and Undocumented Issuances

CWDs shall be responsible to FNS for any financial losses involved in the acceptance, storage and issuance of coupons. All coupon issuances shall be documented and the CWD shall make available all primary documentation (e.g. transaction receipts or authorization documents) or secondary (e.g. computer listings of transaction receipts or authorization documents), if the primary has been inadvertently destroyed, when required to do so. CWDs shall pay upon demand, the amount of any such losses. Unauthorized issuances, overissuances and undocumented issuances for which the CWDs are strictly liable include, but are not limited to, the following:

- .21 Losses resulting from authorization documents lost in transit from a manufacturer to the CWD and untransacted authorization documents lost in transit from an issuer to the CWD; and
- .22 The value of coupons overissued and coupons issued without authorization, except for those duplicate issuances in the correct amount that are the result of replacement issuances made in accordance with Section 63-603. Overissuances and unauthorized issuances for which CWDs are liable include, but are not limited to, the following:
- .221 Single unmatched issuances;
- .222 Duplicates made that are not in accordance with Section 63-603; and

63-206	LIABILITIES (Continued)	63-206
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- .223 Transacted authorization documents that are altered, counterfeit, from outside of the CWD, or expired (including those unsigned by the designated household member and/or not date stamped by the issuer).

.3 Coupon and Cash Liabilities

CWDs shall be strictly liable for the face amount of all coupon shortages and losses that occur after the coupons have been accepted by the CWDs' receiving point(s) and that occur during storage or the movement of coupons between the CWDs' bulk storage points and issuance offices. Such coupon shortages and/or losses include, but are not limited to, any of the following:

- .31 Theft;
- .32 Embezzlement;
- .33 Cashier errors (e.g. errors by issuance office personnel in counting coupon books);
- .34 Natural disasters, if the CWD cannot provide reasonable evidence that the coupons were destroyed and not redeemed;
- .35 Unexplained causes; and,
- .36 Coupon overissuances resulting from noncompliance with CDSS instructions implementing benefit reductions, suspensions or cancellations as required under Section 63-108.
- .37 Cash losses including monies collected from overissuance claims which have been lost, stolen, or otherwise not accounted for in accordance with the provisions in Section 63-801.8.

.4 Issuance losses for which CWDs shall be strictly liable include but are not limited to the following:

- .41 Issuances which cannot be supported by the required documentation;
- .42 Issuances made to households not currently certified;
- .43 Issuance loss during an official investigation, unless the investigation was approved by FNS prior to the loss;

63-206	LIABILITIES (Continued)	63-206
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.44 Mail issuance losses that exceed either of the following tolerance levels as appropriate:

.441 Mail losses in excess of .5 percent of the dollar value of the total quarterly mail issuance in a county where \$300,000 or more per quarter of coupons are issued in the mail.

.442 Mail losses in excess of \$1,500 per quarter in a county where less than \$300,000 per quarter of coupons are issued in the mail.

(a) For the purpose of this section, "mail issuance" means all original coupon issuances distributed through the mail. "Mail Loss" means all replacements of mail issuance except for replacements of returned mail issuances. Coupons are "in the mail" when deposited with the Postal Service.

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(b) FNS will assume financial liability for all coupons lost in the mail if the coupons were issued in accordance with required policies and procedures and the loss did not exceed the specified tolerance levels.

HANDBOOK ENDS HERE

.5 Reporting of Coupon and Mail Issuance Liabilities

The CWD's shortages and losses shall be determined from the FNS-250 and its supporting documents and the FNS-46. The CWD's mail loss liability shall be computed using data from the FNS-259. These reports shall be reviewed and adjusted as follows:

.51 The CWD shall review all billing letters for liabilities on these reports to ensure that the amount to be adjusted is correct. If the CWD does not agree with the alleged liability, a written rebuttal to the disputed amount of liability shall be submitted to CDSS within two weeks from the date of the billing letter. The rebuttal shall include the CWD's adjusted liability together with justification for that amount.

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- .52 Failure to provide a written response within the two-week period shall result in the CWD Food Stamp Program administrative advance being adjusted by the billed amount. If the CWD's failure to respond timely precludes CDSS's opportunity to appeal to FNS, the obligation in the amount specified shall be deemed correct and final.

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- .53 CWD liabilities will be adjusted by an offset from the CWD's Food Stamp Program administrative advance. These offset adjustments will be identified as "FNS-250 Liabilities," "FNS-46 Liabilities" or "FNS-259 Liabilities".

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- .54 The CWD shall prepare and submit the FNS-250 in accordance with Fiscal Handbook Section 25-1030; the FNS-46 in accordance with Fiscal Handbook Section 25-1010; and the FNS-259 in accordance with Fiscal Handbook Section 25-1040.
- .6 Photo ID
- .61 CWDs shall include in any contract with an issuing agent a provision establishing the agent's strict liability for the face value of coupons issued in any authorization document transaction when:
- .611 The authorization document is found to have been stolen or otherwise not received by the household; and
- .612 The CWD or issuing agent's cashier has not recorded the serial number of the photo ID card on the authorization document, or the person presenting the authorization document is not pictured on the ID card as specified in Section 63-504.85.
- .62 CWDs shall be strictly liable for losses by CWD issuing agents where reconciliation shows noncompliance with photo ID requirements.

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- .63 The strict liability referred to in Section 63 or parts of counties) notwithstanding the fact that FNS previously granted waiver(s) of provisions of the photo ID requirements.
- .64 In CWDs using a direct access system the strict liability conditions of Sections 63 .63 apply in a like manner.

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: 7 CFR 271.2; 7 CFR 276.1; 7 CFR 276.2; and Sections 10554 and 18904, Welfare and Institutions Code.

63-207	PROGRAM INFORMATIONAL ACTIVITIES	63-207
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- .1 CWDs shall participate in program informational activities. Program informational activities are those activities that convey information about the Food Stamp Program, including household rights and responsibilities, to applicant and recipient households through means such as publications, telephone hotlines, films, media and face-to-face contacts.
- .2 The CWD shall be responsible for liaison with state staff and shall order from the state warehouse the following:
 - .21 Nutrition information materials regarding foods containing substantial amounts of the recommended daily allowances of protein, minerals and vitamins; menus making use of these foods; and the relationship between health and diet;
 - .22 Informational materials that explain the Special Supplemental Food Program for Women, Infants and Children (WIC) and the Commodity Supplemental Food Program (CSF);
 - .23 Informational materials explaining household rights and responsibilities.
- .3 The CWD shall display the posters and make pamphlets and fliers available at food stamp and public assistance offices.

63-207	PROGRAM INFORMATIONAL ACTIVITIES (Continued)	63-207
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- .4 All program informational material shall include a statement that the Food Stamp Program is available to all without regard to race, color, sex, age, handicap, religious creed, national origin, or political beliefs.
- .5 The CWD shall notify SDSS of its needs for program informational material in languages other than English as required by Welfare and Institutions Code 18915.
- .6 The CWD shall encourage recipients to participate in the Expanded Food and Nutrition Education Program (EFNEP) and, wherever practicable, allow EFNEP personnel to come into Food Stamp offices to distribute informational materials and to speak with recipients.

NOTE: Authority cited: Sections 10554 and 18904, Welfare and Institutions Code. Reference: 7 CFR 272.5.